

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

02-CR-214-S

SAHIM ALWAN,

Defendant.

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**GOVERNMENT'S MOTION FOR REDUCTION OF SENTENCE PURSUANT  
TO FEDERAL RULE OF CRIMINAL PROCEDURE 35(b)(2)**

The United States of America, by and through its attorneys, WILLIAM J. HOCHUL, JR., United States Attorney, for the Western District of New York, and Timothy C. Lynch, Assistant U.S. Attorney, hereby moves the Court pursuant to Federal Rule of Criminal Procedure 35(b)(2), to reduce the defendant's sentence by six months, to a term of imprisonment of 108 months.

The basis for the government's motion is set forth in the Affidavit of Assistant U.S. Attorney, Timothy C. Lynch, which is filed separately under seal. As described in the sealed Affidavit, the government submits that the defendant has provided substantial assistance, consisting of information and testimony in judicial proceedings, and which assistance did not become fully useful to the government until more than one year after sentencing.

**WHEREFORE**, for all of the reasons set forth in the sealed Affidavit, the government respectfully requests that the government's motion be granted.

DATED: Buffalo, New York, May 20, 2010.

Respectfully submitted,

WILLIAM J. HOCHUL, JR.  
United States Attorney

BY: s/Timothy C. Lynch  
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TO: James P. Harrington, Esq.

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2010, I electronically filed the foregoing **GOVERNMENT'S MOTION FOR REDUCTION OF SENTENCE PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 35(b)(2)** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

James P. Harrington, Esq.

Michael Quarantillo  
Probation Officer

s/Linda F. Swiatek  
LINDA F. SWIATEK